

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERIC SHAWN ROASTING STICK,

Defendant.

**CR-20-1-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 19, 2021. (Doc. 114.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 19, 2021. (Doc. 24.) The United States accused Roasting Stick of violating his conditions of

supervised release 1) by failing to report for substance abuse testing on two separate occasions; 2) by using methamphetamine; and 3) by failing to follow the instructions of his probation officer. (Doc. 106.)

At the revocation hearing, Roasting Stick admitted he had violated the terms of his supervised release 1) by failing to report for substance abuse testing on two separate occasions; and 2) by using methamphetamine. Roasting Stick denied alleged violation 4. The government failed to satisfy its burden of proof with respect to alleged violation 4. (Doc. 109.) Judge Johnston found that the violations Roasting Stick admitted proved to be serious and warranted revocation, and recommended that Roasting Stock receive a custodial until November 23, 2021, with no supervised release to follow. (Doc. 114.) Roasting Stick was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 109.) The violation proves serious and warrants revocation of Roasting Stick's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 114) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Eric Shawn Roasting Stick be sentenced to the custody of the United States Bureau of Prisons until November 23, 2021, with no supervised release to follow.

DATED this 3rd day of November 2021.

A handwritten signature in black ink, reading "Brian Morris". The signature is written in a cursive style with a large initial "B" and a long horizontal stroke at the end.

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Brian Morris, Chief District Judge  
United States District Court